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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 JIM BASS HOLDEN,) 3:16-cv-00064-MMD-WGC
9)
10 Plaintiff,) **ORDER**
11 vs.) Re: ECF No. 95
12 STATE OF NEVADA EX REL NEVADA)
13 DEPARTMENT OF CORRECTIONS, *et al.*,)
14 Defendants.)

15 Before the court is Defendants' motion (ECF No. 95) to stay the setting of the settlement
16 conference which has been ordered by District Judge Miranda M. Du (ECF No. 94). The rationale for
17 deferring the settlement conference is that Defendants intend on submitting a motion for reconsideration
18 of Judge Du's Order (ECF No. 93) accepting in part and rejecting in part the Report and
19 Recommendation of the Magistrate Judge (ECF No. 87).¹ The Defendants suggest that the "Courts
20 decision on the motion for reconsideration (and therefore the motion for summary judgment) will
21 **significantly** impact the parties' respective positions during the settlement negotiations." (ECF No. 95
22 at 3; emphasis in the original).

23 The Local Rules state that "motions for reconsideration are disfavored." LR 59-1(b). Motions
24 for reconsideration are "extraordinary remed[ies]," and they should only be used "sparingly in the
25 interests of finality and conservation of judicial resources." *Kona Enters., Inc. v. Estate of Bishop*, 229
26 F.3d 887, 890 (9th Cir. 2000). Although it is possible a motion for reconsideration might be granted,

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28 ¹ The docket reflects Judge Du's order was entered on September 24, 2018. As of this date, no motion
for reconsideration has been filed.

1 the resolution of such a motion may be several months away.

2 While there may be some uncertainty in the status of the case, this is true in almost every case
3 that proceeds to a settlement conference. The court frequently refers matters to settlement conference,
4 even at early stages of the case. *See, e.g.*, LR 16-6 regarding Early Neutral Evaluations, which are
5 scheduled at the outset of an employment-type of case. *See also* LPR 1-19, mandatory settlement
6 conferences in patent cases and the rules scheduling the Early Mediation Conferences in inmate civil
7 rights cases under 42 U.S.C. 1983. The court frequently encounters matters where counsel are
8 pessimistic about the prospects of the parties reaching a settlement only to be able to reach an accord
9 after having discussed the matter with their principals in attendance. The court is of the opinion the
10 settlement conference should proceed in this matter.

11 Defendants' Motion for Enlargement of Time for Settlement Conference (ECF No. 95) is
12 **DENIED.**

13 **IT IS SO ORDERED.**

14 DATED THIS 24th day of October 2018.

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16 WILLIAM G. COBB
17 UNITED STATES MAGISTRATE JUDGE
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